



REC'D 1600

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995

Application Number	09/776,865
Filing Date	February 2, 2001
First Named Inventor	Carl G. Hellerquist
Group Art Unit	1642
Examiner Name	Stephen L. Rawlings
Attorney Docket Number	49530-252687 (22100-0100)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may file a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 16, 2003. (Any unentered amendment(s) referred to above will be entered)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. Other
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Request for Continued Examination

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

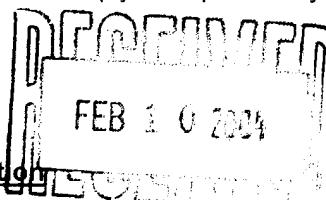
- a. Check in the amount of \$385.00 is enclosed for the following fees:
 - i. RCE fee under 37 C.F.R. § 1.17(e), REQUIRED when filing the RCE.
 - ii. Extension of time fee under 37 C.F.R. 1.136 and 1.17.
- b. The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 11-0855

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Type Name	Elena S. Polovnikova, Ph.D.	Reg. No. 52,130
Signature	<i>Elena S. Polovnikova</i>	Date January 16, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. 703-308-6916) on:		
Type Name	Elena S. Polovnikova, Ph.D.	
Signature	<i>Elena S. Polovnikova</i>	Date January 16, 2004



RECEIVED
JAN 23 2004
TECH CENTER 1600/2000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
 Carl G. Hellerqvist)
)
Application No.: **09/776,865**) Art Unit: **1642**
)
Filed: **February 2, 2001**) Examiner: **Stephen L. Rawlings**
)
For: **Methods for Preventing or**)
 Attenuating Pathoangiogenic Conditions)

REQUEST FOR CONTINUED EXAMINATION

Mailstop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully file this Request for Continued Examination pursuant to 37 C.F.R. § 1.114 on the six-month anniversary of the July 16, 2003 Final Office Action. In accordance with MPEP 706.07(f)(A), the shortened statutory period for responding to Final Office Action expires at three months from the date of the final rejection or on the date the Advisory Action is mailed, **whichever is later**, and in no event can the statutory period for reply expire later than six months from the date of the final rejection.

Applicants filed a Response to the Final Office Action on September 16, 2003, which is within two months of the date of the Final Office Action. The six-month anniversary of the Final Office Action is January 16, 2004. No Advisory Action was received by applicants, and, to the best of applicants' knowledge, no Advisory Action was mailed to-date. Therefore, it is believed that the statutory period for reply to the Final Office Action is its six-month anniversary, which falls on January 16, 2004, and no extensions of

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mailstop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 16, 2004.

Elena S. Polovnikova, Ph.D.- Reg. No. 52,130

*Request for Continued Examination
Serial No. 09/776,865
Page 2*

time for filing this Request for Continued Examination are necessary. However, applicants hereby request any extension of time that may be required.

A check in the amount to cover the payment of fees pursuant to 37 C.F.R. § 1.17(e) is enclosed. In response to the Final Office Action mailed July 5, 2002, applicants respectfully request entry of the amendment provided in the September 16, 2003, Response to the Final Office Action and consideration of the rejected claims based upon the amendments and the remarks provided in the Response.

Applicants assert that the claims are now in condition for allowance and respectfully request that the application be passed to issuance. If the Examiner believes that any informalities remain in the case which may be corrected by Examiner's amendment, or that there are any other issues which can be resolved by a telephone interview, a telephone call to the undersigned at (404) 815-6102 or to Ms. Jamie L. Greene at (404) 745-2473 is respectfully solicited.

No additional fees are believed due, however, the Commissioner is hereby authorized to charge any deficiencies which may be required to Deposit Account Number 11-0855.

Respectfully submitted,


By: Elena S. Polovnikova, Ph.D.
Patent Agent
Reg. No.: 52,130

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
(404) 815-6500
Our Docket: 49530-252687 (22100-0100)